IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

TUESDAY, THE 30TH JANUARY 2007 / 10TH MAGHA 1928

WP(C).No. 1520 of 2007(E)

PETITIONER:

HAJI KHALEELUL REHMAN,
S/O.ABDUL HAMEED SAHIB, AGED 54 YEARS,
NAVAKKOTTIL, CHITHALI, KUZHALMANNOM AMSOM,
ALATHUR PALAKKAD DISTRICT.

BY ADV. SRI.R.MANIKANTAN
SRI.BINOY VASUDEVAN

RESPONDENTS:

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1. THE CUSTODIAN OF VESTED FORESTS,
ARANYA BHAVAN, OLAVAKKODE, PALAKKAD.

2. THE CONSERVATOR OF FORESTS,
PALAKKAD.

3. THE DIVISIONAL FOREST OFFICER,
NENMARA.

4. THE VILLAGE OFFICER, ERIMAYUR VILLAGE,
ALATHUR TALUK, PALAKKAD DISTRICT.

BY SPL.G.P.SRI.SURESH BABU.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 30/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

Thottathil B. Radhakrishnan, J.

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W.P.(C)No.1520 of 2007

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Dated this the 30th day of January, 2007.

JUDGMENT

Ext.P1 order was issued by the Forest Tribunal, Palakkad in favour of one Visalakshi in O.A.No.276 of 1976. According to the petitioner, he is a transferee of the said person and had applied for acceptance of basic tax on the basis of the said transfer in his favour. According to him, the transferor was evading the tax and the needful be done at her end and that she is now absconding. Accordingly, the petitioner filed Ext.P5 before the first respondent, the Custodian of Vested Forests, to issue to him a duplicate copy of the NOC, plan, sketch and release certificate.

2. Having heard the learned counsel for the petitioner and the learned Government Pleader, this writ petition is disposed of directing the first respondent to take up Ext.P5 and take a decision thereon in accordance with law after duly adverting to and considering the relevant materials, including

Ext.P1 order and any transaction in favour of the petitioner. Petitioner will also remit such fee as may be required in terms of law for the issuance of any such settlement. It is clarified that this judgment does not touch upon the merits of the representation before the first respondent. However, the needful be done within a period of two months from the date of receipt of a copy of this judgment. Petitioner will produce a copy of this judgment and a copy of this writ petition before the first respondent.

Thottathil B.Radhakrishnan,
Judge.

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